



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Kathleen Clarke  
Executive Director

Lowell P. Braxton  
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

April 17, 2001

TO:

~~Internal File~~

FROM:

Susan M. White, Senior Reclamation Biologist, Team Lead

*SMW*

RE:

Upper Pad Reclamation, PacifiCorp, Des Bee Dove Mine, ~~C-175~~AM01A

## SUMMARY:

The Phase I Upper Pad Reclamation amendment was received by the Division on March 30, 2001. Phase I includes plans for reclamation of the Beehive water storage/substation area, Little Dove/Beehive mine portal area, and the Little Dove/Beehive Mine portal access road area. The area to be seeded in this project totals 3.85 acres. All required information to approve this amendment has not been included and the amendment should not be approved.

## GENERAL CONTENTS

### PERMIT APPLICATION FORMAT AND CONTENTS

Regulatory Reference: 30 CFR 777.11; R645-301-120.

#### Analysis:

Appendix XIV, Phase 1 Reclamation Plan, describes the reclamation of the Beehive and Little Dove Mines portal pad and access roads. No revision to other portions of the approved Mining and Reclamation Plan (MRP) are proposed. Some of the information in Appendix XIV contradicts information in the MRP. This is confusing and must be corrected.

#### Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirement of this section. Prior to approval, the permittee must provide the following in accordance with:

TECHNICAL MEMO

---

**R645-301-121.200**, The proposed Appendix XIV contains information that contradicts information in the approved Mining and Reclamation Plan (MRP). Information in the Appendix and MRP must be consistent.

## MAPS AND PLANS

Regulatory Reference: 30 CFR 777.14; R645-301-140.

### Analysis:

Drawing #: CS1813E, Surface Yard Area Pre/Post SMCRA Development Map shows aerial photographs from 1977, 1978, and 1999. The photographs are marked to show current disturbance and pre-SMCRA disturbance. Post-SMCRA disturbances are not marked. The only post-SMCRA disturbance is the parking lot extension at the bath house pad. It is difficult to compare one photograph to the next and determine disturbance since the photographs were not taken from the same location but they are sufficient to determine pre and post-SMCRA disturbances.

The photo dated 1999 must show the permit disturbed area to include the entire area of disturbed area drainage until it passes through the UPDES discharge point.

### Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirement of this section. Prior to approval, the permittee must provide the following in accordance with:

**R645-301-521 and R645-301-731**, all permit area maps in the MRP must show the disturbed and permit area to include the disturbed area drainage.

## ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

## HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.12; R645-301-411.

**Analysis:**

The Des Bee Dove Mines operated from the early 1900's until the 1980's. The Beehive Mine was developed in the 1950's and the Little Dove Mine was developed in the mid-1970's. These two separate mines were developed in the Blind Canyon (upper seam) and each mine had three portals.

Section R645-301-411.140 states that historical structures will be retained to document the early development of coal mining in the area. R645-301-400 Figure 1 is referenced to show these structures. Figure 1 could not be located in the submittal. Mr. Semborski stated in a phone conversation on April 5, 2001 that all of these structures are located outside the permit area.

**Findings:**

Information provided in the proposed amendment is not considered adequate to meet the requirement of this section. Prior to approval, the permittee must provide the following in accordance with:

**R645-301-542**, The figure referenced as R645-301-400 must be provided and the text must state that the retained structures are not subject to regulation by the Utah Coal Mining Rules.

**FISH AND WILDLIFE RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 784.21; R645-301-322.

**Analysis:**

Section R645-301-310 refers to an updated map of raptor nest locations in Appendix A. No such map could be found. Nest #952 and 937 are both within the half mile buffer zone radius of the proposed work area.

**Findings:**

Information provided in the application is not considered adequate to satisfy the requirements of this section of the regulations. Prior to approval, the operator must provide the following in accordance with:

**R645-301-322**, the raptor nest location map must be provided or the reference to the map deleted.

TECHNICAL MEMO

---

## LAND-USE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.22; R645-301-411.

### Analysis:

The statement in section R645-301-410 that all parties concurred with the proposed reclamation activities at an on-site meeting May 19, 2001 with the Forest Service, BLM, Water Rights, and DOGM is only correct to the extent the information was presented. At that time, the detail provided in Appendix XIV was not available. The Division expressed concern with the drainage reclamation, extent of highwall coverage, and lack of identified substitute topsoil.

The postmining land use for the mine site will be the same as the premining land use and that is wildlife and livestock grazing. The East Mountain allotment of the Ferron Ranger District is approximately 21,000 acres and supplies about 2500 animal unit months of grazing. Twice a year local ranchers use the mine access road to drive cattle to and from the East Mountain grazing area.

### Findings

The information provided meets the minimum regulatory requirements of this section.

## MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

### Analysis:

#### Affected Area Boundary Maps

Currently, the mine area disturbed drainage leaves the disturbed area and permit area below the Tipple Valley Fill and then re-enters the permit area and the disturbed area for treatment in the sediment pond. Likely, the first point of water discharge leaving the permit area (below the Tipple Valley Fill) does not always meet the requirements of the Clean Water Act. Extending the permit area and disturbed area to include the disturbed drainage from the mine site area to the sediment pond is required even though this has been overlooked by the Permittee and Division for nearly 20 years.

### Findings:

Information provided in the application is not considered adequate to satisfy the requirements of this section of the regulations. Prior to approval, the operator must provide the

following in accordance with:

**R645-301-521 and R645-301-731**, the disturbed area and permit area must include the disturbed area drainage.

## **OPERATION PLAN**

### **AIR POLLUTION CONTROL PLAN**

Regulatory Reference: 30 CFR 784.26, 817.95; R645-301-244.

#### **Analysis:**

State air quality regulations at **R307-205-5 Mining Activities** requires mining activities to control fugitive dust by watering, paving, restricting speed, restricting travel, or by other methods. The applicant states that they will meet the requirements of the Clean Air Act. A Division inspection dated March 30, 2001 states:

During this inspection, significant dust was being generated from the transport of coal and coal waste. In areas where the trucks were actively hauling material, several inches of very fine talc like soil was present. With each pass of a truck, dust was disturbed into the air.

The permit states that dust will be controlled by reducing the rate of vehicle travel to 10 mph. Based on the recent inspection reducing traffic speed does not control fugitive dust. The Permittee must describe other actions to control fugitive dust such as watering.

#### **Findings:**

Information provided in the application is not considered adequate to satisfy the requirements of this section of the regulations. Prior to approval, the operator must provide the following in accordance with:

**R645-301-420**, the plan must describe methods that are effective in controlling fugitive dust.

## **VEGETATION**

Regulatory Reference: R645-301-330, -301-331, -301-332.

---

TECHNICAL MEMO

---

**Analysis:**

Fill slopes were vegetated with an interim seed mixture in 1981 through 1988. Given the arid climate the vegetative cover on most of these fill sites was very good after 13 to 20 years of plant establishment. Slopes on these fills are considered very steep and are comparable to the slopes to be reestablished in reclamation. The active rooting zone of the fill material should be suitable as a growth medium in reclamation.

**Findings:**

Information provided in the application meets the minimum requirements of this section.

## **RECLAMATION PLAN**

### **POSTMINING LAND USES**

Regulatory Reference: 30 CFR Sec. 784.15, 784.200, 785.16, 817.133; R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275.

**Analysis:**

The landowner for Phase I of the reclamation is PacifiCorp, the applicant. Because the landowner and applicant are the same no requirements for landowner concurrence is required.

A cattle trail will be established from the county road to access the grazing allotments on East Mountain. The trail will follow the county road to the pre-law waterline and then to the reclaimed mine access road. Photo 1 and Drawing # CS1818B show the "Forest Development Trail" and the "Proposed East Mountain Access Trail" in two close but separate locations. It is assumed that these two trails are the same thing. This discrepancy will need to be addressed in an as-built map.

**Findings:**

The information provided meets the minimum regulatory requirements of this section.

## **PROTECTION OF FISH, WILDLIFE, AND RELATED ENVIRONMENTAL VALUES**

Regulatory Reference: 30 CFR Sec. 817.97; R645-301-333, -301-342, -301-358.

**Analysis:**

Chris Colt, UDWR biologist, was consulted concerning the location of golden eagle nest #952 and the proposed reclamation construction activities. He stated that if the eagle did nest at #952 then likely it has acclimated to the noise given the activity at the tippie valley fill. Since Phase I construction activity will likely not begin until early May, Mr. Colt stated that if the nest was active the egg should have hatched by then and the eagles are less likely to desert the nest at that time. May raptor monitoring may provide additional information.

**Findings:**

Information provided in the application meets the minimum requirements of this section.

**REVEGETATION**

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

**Analysis:**

**General requirements**

A total of 3.85 acres will be seeded in this Phase I reclamation as shown outlined in green on Drawing #CS1818B. This acreage amount may need to be adjusted in an as-built when actual seeding disturbance is known. At that time actual seeding dates can also be added to the map.

The greatest revegetation concern at this site is stabilizing the very steep slopes which are commonly 2h:1v. The seed mixture (section R645-301-353.120) was designed to establish and provide some erosion control on these slopes. Annual reports detailing prevalent species established were reviewed for species seed mix selection. All species in the mixture are native and most are native to this specific area. Unfortunately, Salina wildrye, the dominant grass, is not commercially available for reclamation. The application rate is 61 seeds /ft<sup>2</sup>. This rate is consistent with recommendations for the Utah area. Aggressive species were used because of the concern with soil stabilization. Diversity of the native area is low and the reclaimed vegetative cover should meet the baseline diversity. Transplants will be used to aid in the visual attributes of the area during vegetation establishment.

Seed will be broadcast using a hurricane spreader or applied using a hydroseeder. The seed will be rake to cover the seed if using a hand spreader. Generally raking is not necessary unless the soil has crusted. If the soil has crusted then the seed should be rake even if hydroseeding. Covering the seed with hydromulch does not substitute for soil seed coverage.

---

TECHNICAL MEMO

---

**Timing**

The site will be seeded immediately after the soil is roughened. This likely will be a spring or early summer seeding. A summer seeding maybe successful since this area is subject to summer rains.

**Mulching and Other Soil Stabilizing Practices**

One ton per acre noxious weed free alfalfa hay will be incorporated into the soil during roughening. This will provide a slight organic component to the soil and may reduce crusting for seed germination. If a hydroseeder is used on site hydromulch with tackifier will be applied at the rate of 1500 lbs./acre.

Rocks, shrub and tree debris, and other organic on site materials should also be used as a top covering for the seeded surface.

**Standards for Success**

Vegetation success of the reclaimed Des Bee Dove mine area will be compared to the pinyon-juniper reference area established in 1980. Success will be judged on production, shrub density and cover of the reclaimed site as compared to the reference area. The Operator commits to tree and shrub numbers similar to the reference areas life forms. As the Operator becomes more experienced in reclamation this success standard section should be reviewed.

**Findings:**

The information provided meet the minimum regulatory requirements of this section.

**RECOMMENDATION:**

The amendment should not be approved until the above noted deficiencies are addressed.